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The Chemical Question

An Open Letter to Warren G. Harding,
President of the United States

By

FRANCIS P. GARVAN

President of the Chemical Foundation

JUL 3 1951



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July 14, 1922.

HON. WARREN G. HARDING,
President of the United States,
Washington, D. C.

Dear Mr. President:

The Chemical Foundation has forwarded to the Alien Property Custodian its formal answer to his demand, its answer as an American corporation ready at all times to defend its rights in our courts. But the American public, in whose interests this corporation was organized, is entitled to be fully informed as to the circumstances under which this demand was made and the reason why it is unqualifiedly refused.

The Alien Property Custodian stated no authority or reason for his demand for the entire property and assets of this corporation, for an accounting of all its past business and for the entire cessation of its activities, except that he was acting by your express direction. I am therefore compelled to imply that he was acting under the letter given out by you and the statement of the Attorney General accompanying it.

These two papers demonstrate that you, Mr. President, have been grossly misled by the Attorney General, both as to the law and the facts of this case, as the following will show:

1. The Attorney General has made no investigation of The Chemical Foundation or the facts surrounding its formation. Listening to German agents, German commissions, or former German lawyers exclusively is not an investigation.

2. The United States Government has no interest in the suits brought by The Chemical Foundation in reference to the Federal Trade Commission's licenses. That dispute is between The Foundation and the former German owners. If they both failed to prove their claim, the money in the United States Treasury must be paid back to the Americans who used the patents and paid in the money. The United States Treasury is only the stakeholder.

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3. At the time that Woodrow Wilson, President of the United States, delegated his power of sale to Frank L. Polk, Acting Secretary of State, who authorized the Alien Property Custodian to sell the patents to The Chemical Foundation, neither the President, the Secretary of State, nor the Alien Property Custodian was under the law in the remotest sense a trustee for the German enemies, nor were they such at the time the patents were taken over by the Custodian.

4. Specific power to sell patents was granted by Congress, after full committee hearings, on November 4, 1918, and on March 28, 1918, Congress settled whatever ambiguity there might have been in the law before that time in the following language:

"The Alien Property Custodian, * * * in addition thereto, acting under the supervision and direction of the President, and under such rules and regulations as the President shall prescribe, shall have power to manage such property and do any act or things in respect thereof or make any disposition thereof or of any part thereof, by sale or otherwise, and exercise any rights or powers which may be or become appurtenant thereto or to the ownership thereof in like manner as though he were the absolute owner thereof;
* * *

5. The President was thus vested with power to supervise all sales made by the Alien Property Custodian, and by the same amendatory act was given power to waive the requirement for public sale where the public interest demanded it. By virtue of the power of delegation given him under Section 5-A of the Trading with the Enemy Act, the President by Executive order, dated December 3, 1918, delegated these powers to Mr. Frank L. Polk, who was the then Acting Secretary of State.

Mr. Frank L. Polk thereafter issued certain orders by virtue of this power and authority, authorizing the Custodian to make the sales of patents, copyrights and trade-marks to The Chemical Foundation, Inc.

The first of these orders was issued on February 26, 1919. This order recites that by virtue of the authority of the President vested in him by the provisions of the Act and the amendments made to Sections 12 and 7 (c) thereof on March 28, 1918, and November 4, 1918, respectively, which authority has been dele-

gated to him (Frank L. Polk) by Executive order of December 3, 1918 (above mentioned), he thereby in the public interest determined and ordered,

"That the Custodian might sell at private sale, without public or other advertisement, to The Foundation at such place and upon such terms and conditions as to the Custodian, or his authorized agent, might seem proper, all of the letters patent and trade-marks and rights thereunder, including all damages at law and in equity for the past infringement thereof, which the Custodian had seized or might seize under the Act, and which he (the Custodian) should from time to time determine to relate to the objects and purposes of The Foundation as expressed and defined by its charter."

The order then recites the reasons in the public interest for the foregoing determinations:

(1.) That the letters patent, trade-marks and similar rights could not be sold to the best advantage at public sale after public or other advertisement.

(2.) That The Foundation had been incorporated for the purpose of holding letters patent, trade-marks and similar rights relating to the chemical and allied sciences as trustee for American industry, for the purpose of the Americanization of such industries as may be affected thereby, of eliminating alien interests hostile to said American industries and of the advancement of chemical and allied industries in the United States. That The Foundation was obligated to grant non-exclusive licenses upon equal terms at a uniform royalty to qualified American manufacturers and is empowered to grant free licenses to the United States for any use the United States might desire to make of the inventions covered by the letters patent and similar rights.

(3.) That the public interest would be best served by a wide use of the inventions covered by the letters patent and similar rights and that such wide use could be most readily promoted by the licenses which The Foundation by its charter was obligated to grant.

(4.) That a private sale would prevent the said letters patent, trade-marks and similar rights from falling into the hands of purchasers who would be unwilling or unable to put the inventions covered thereby into use or would use them for purely speculative purposes.

(5.) That it would be impossible to make a public sale of the said letters patent, trade-marks and similar rights so as to secure the foregoing benefits to the public.

(6.) That unnecessary expense, delay and inconvenience may be avoided by private sale.

The Alien Property Custodian, pursuant to the order and to a supplemental one dated April 5, 1919, and under the authority vested in him by the Act, thereafter consummated the sale of divers letters patent, copyrights and trademarks, together with all rights and benefits appurtenant to the ownership thereof, to The Foundation.

6. Following the return of the President from abroad, an Executive order was issued by him on February 13, 1920. In this order the President in the public interest determined and ordered: That the Custodian was authorized (a) to make such sale to The Foundation in the manner therein provided, and (b) in case of sales theretofore made of property which he was thereby authorized to sell, but as to which his prior authority under Mr. Polk's orders was deemed doubtful, to confirm and ratify the same by suitable instrument of confirmation.

The order is concluded by the following:

"My reasons for the foregoing determination and order are stated in the said orders of Frank L. Polk of the 26th of February, 1919, and the 5th of April, 1919; and in addition thereto, the public interest will be best served by the elimination of any enemy interest adverse to American citizens arising by reason of said choses in action, or rights, interests and benefits under agreements and by the devoting of any payments made by reason of said choses in action or under said agreements by The Chemical Foundation, Inc., to the promotion of the objects stated in its charter."

And in pursuance of this order, the Alien Property Custodian confirmed and ratified to The Foundation, by instrument dated March 1, 1921, all sales theretofore made to it by him.

This confirmatory order was purely cautionary and later proved superfluous in the light of the decision of the United States Supreme Court in *Central Union Trust Co. v. Garvan* (254 U. S. 554), and *Stoehr v. Garvan* (255 U. S. 239), which

squarely upheld the President's powers of delegation under the Trading With the Enemy Act.

This sale was made in the full light of all branches of the Government and in the full light of publicity. The idea of its formation was the result of the intimate knowledge of the past use of these patents in a manner hostile to the United States' interests, and in full consultation with all the executives of the Government, the experts of our Army and Navy, and leaders of our chemical business organizations and the heads of all our scientific and research organizations. I do not ask you to accept my present statement of the matter, but insert here an extract from the report of A. Mitchell Palmer, filed with the President February 22, 1919, and by him forwarded to the Congress, and by that Congress made a public document and most widely commented on by the press throughout the entire country.

"The amendment of November 4 to the Trading with the Enemy Act presented for the first time an opportunity for what appears to me to be the most important piece of constructive work which has been possible in my department. Until the enactment of this amendment it had not been possible to take over German patents. These patents, as had been already indicated, formed a colossal obstacle to the development of the American dyestuff industry. Evidently they had not been taken out with any intention of manufacturing in this country or from any fear of American manufacture, which the Germans apparently thought could not be successfully carried on under conditions prevailing in this country in regard to costs and to the supply of technicians and skilled labor. Upon consideration, however, it seemed that these patents offered a possible solution for the problem, hitherto unsolvable, of protecting the new American dye industry against German competition after the war. If they were not taken out in order to prevent American competition they must have been obtained as a weapon against competing imports. If they were sufficient to stop importation of competing Swiss, French and English dyes, they would presumably serve, in American hands, to stop the importation of German dyes. This was particularly probable in the case of the product patents, since most of the coal-tar dyestuffs are definite chemical combinations to which a product patent is entirely applicable.

"The idea was accordingly conceived that if the German chemical patents could be placed in the hands of any Ameri-

can institution strong enough to protect them, a real obstacle might be opposed to German importation after the war, and at the same time the American industry might be freed from the prohibition enforced by the patents against the manufacture of the most valuable dyestuffs. Accordingly, these considerations were laid before various associations of chemical manufacturers, notably the Dye Institute and the American Manufacturing Chemists' Association. The suggestion was met with an instantaneous and enthusiastic approval, and as a result a corporation has been organized to be known as the Chemical Foundation (Inc.), in which practically every important manufacturer will be a stockholder, the purpose of which is to acquire by purchase these German patents and to hold them as a trustee for American industry, 'for the Americanization of such institutions as may be affected thereby, for the exclusion or elimination of alien interests hostile or detrimental to the said industries and for the advancement of chemical and allied science and industry in the United States.' The voting stock is to be placed in a voting trust of which the trustees are to be the five gentlemen who for months have been acting as the sales committee which passes upon sales made by my department, that is to say, George L. Ingraham (former presiding justice of the appellate division, first department, New York Supreme Court); Otto T. Bannard (president, New York Trust Co.); Cleveland H. Dodge; Benjamin H. Griswold (senior partner of Brown Bros., bankers, Philadelphia); Ralph Stone (president, Detroit Trust Co.); and the charter is so framed that under the patents nonexclusive licenses only can be granted on equal terms to all proper applicants, and must be granted to the United States free of cost. The company is capitalized at \$500,000, of which \$400,000 is to be 6 per cent cumulative preferred stock and \$100,000 common stock also limited to 6 per cent dividends. The first president of the Chemical Foundation (Inc.), will be Francis P. Garvan, of the New York bar, to whose clear vision and indefatigable industry I am chiefly indebted in the working out of this plan. By Executive order obtained under the provisions of this act, I have sold to this company for the sum of \$250,000 approximately 4,500 patents, the remaining \$250,000 has been provided for working capital so that the company may be able to commence immediately and prosecute with the utmost vigor infringement proceedings whenever the first German attempt shall hereafter be made to import into this country. The charter of the corporation provides that surplus income is to be used for the retirement of the preferred stock and thereafter for the advancement of chemical and allied science and industry. The

price thus paid was necessarily determined somewhat arbitrarily; the great majority of the patents were presumably valueless. The value of the remainder was entirely problematical and impossible to estimate. Substantially the entire industry having combined for the purpose of this purchase, it would have been impossible on public sale to find as a bidder any legitimate manufacturer. No other bidder could, therefore, have been found on public sale except some speculative individual who might have bought them for purposes practically amounting to commercial blackmail. The combination was not objectionable to public policy since it was so organized that any genuine American, whether a stockholder of the company or not, could secure the benefits of the patents on fair and equal terms.

"It is submitted that the organization of this institution constitutes the most important step that has been taken for the protection of the new industry."

Note that at the time this was written I was a dollar-a-year man, with no expectation of becoming Alien Property Custodian, and at a time when I thought my own war services were over and I was about to return to New York to resume my law practice. At that time, as the Government was in such full sympathy with The Chemical Foundation organization, it was not felt that my services as president thereof would necessarily be more than advisory. It was only on March 4th, when Attorney General Gregory resigned and Mr. Palmer was made Attorney General, that I was asked to accept the position of Alien Property Custodian and remain in Washington.

Some three months after this publication I was a witness before the House Ways and Means Committee on behalf of an organic protective measure, and The Foundation and its organization was thoroughly inquired into. At that time I stated to the Committee:

"The foundation of The Chemical Foundation was an effort to form an organization to represent as nearly as possible at that time the public interests. Judge Ingraham, of New York, and Judge Gray, of Delaware, had charge of drawing our charter and our trust agreement, and our certificate of incorporation. We have endeavored to make it as nearly a public institution as our laws allow, and at the same time have it an official organization. We wanted to sell these patents to the Government, and if there had been

any method by which we could make them a working force, and still have them owned and controlled by the Government, it would have relieved us from a great deal of responsibility, and if there is at this time, any suggestion for modification or amendment of our plan which will insure in the minds of the committee a more definite and certain fulfillment of the intention and purpose of our organization, I am certain that the Chemical Foundation and all its stockholders and all who are interested in it, would be glad to conform to the wishes of the committee, because, insofar as we have the public recognition and public support, and Government recognition and Government support, we become more efficient and become more able to carry out the intentions which are in our hearts and minds."

Thus it will be seen that this sale was made by the Chief Executive of the United States acting under proper authority from Congress, and consisted of property absolutely owned by the United States and disposed of by him after months of the most exhaustive consultation with every possible person cognizant of the lessons of the war and competent to advise, so that the final steps in that victory might be insured and accomplished.

It is the first time in the history of the United States Government that the Chief Executive has been advised by his Attorney General to attempt to abrogate the solemn Executive Order of his predecessor. It is the first time in the history of the United States that the Chief Executive has been advised by his Attorney General to violate a sacred contract entered into by the Government with its citizens.

You, Mr. President, apparently upon the report of the Attorney General, base your entire decision upon the assertion "that the sale was made at so nearly a nominal sum that there is reason to believe that the Government has not faithfully observed the trust which was implied in the seizure of this property." What better test of the actual value to The Foundation of the property sold to it than the result of its first three years' operation?

\$271,850. was paid to the Government, and \$157,050 working capital was provided by 150 American firms, on no dollar of which would any one of them receive more than six per cent., but who never have received anything, and whose entire investment you now demand be destroyed. The total or gross income has aver-

aged \$143,216.65 per year. The running expenses, exclusive of all educational activities, the bare overhead expenses, have averaged \$121,971.35 per year, or a net excess of \$21,245.30, which is .049 per cent. on \$428,900, gold dollars, actually invested. This allows nothing for depreciation. The average life of the patents is eight years, so that twelve and a half per cent. of the \$271,850 cash paid for the patents, or \$33,981 per year, should be subtracted from the above apparent net receipts for each year, which leaves an actual annual operation deficit of \$12,735.70.

But The Chemical Foundation has in addition spent \$264,-017.85, the entire balance of its capital, in educational work, which included the circulation of about 100,000 copies of that great work, Slosson's "Creative Chemistry," at a cost of about \$100,000 of its capital, to schools, colleges, libraries, editors, Boy Scout Masters and others; and 750,000 copies of that great report on the relation of chemistry to medicine by John J. Abel (Professor of Pharmacology, Johns Hopkins Medical School, Baltimore, Md., Editor, Journal Pharmacology and Experimental Therapeutics); Carl L. Alsberg (Director, Food Research Institute, Stanford University, Cal., formerly Chief of the Bureau of Chemistry, Department of Agriculture, Member, Council of Pharmacy and Chemistry, American Medical Association); Raymond F. Bacon (Director, Mellon Institute for Industrial Research, Pittsburgh, Pa.); F. R. Eldred (Chemical Consultant, Eli Lilly & Co., Indianapolis, Ind.); Reid Hunt (Professor of Pharmacology, Harvard Medical School, Boston, Mass., formerly of U. S. Public Health Service, President, U. S. Pharmacopeia Convention); Treat B. Johnson (Professor of Organic Chemistry, Yale University, New Haven, Conn.); Julius Stieglitz (Chairman Department of Chemistry, University of Chicago, Chicago, Ill., Past President American Chemical Society, Chairman, Sub-Committee on Synthetic Drugs, National Research Council, Vice-Chairman, Council of Chemistry and Pharmacy, American Medical Association); F. O. Taylor (Chief Chemist, Parke, Davis & Co., Detroit, Mich.), and Charles H. Herty (Editor, Journal of Industrial and Engineering Chemistry, New York City, Past President, American Chemical Society), to doctors, hospitals, medical schools, universities, libraries, etc. It has contributed \$10,000 to the National Research Council; it has supported the production and standarization of proper biological stains, which are so necessary for the identification of

pneumonia, tuberculosis, diphtheria, etc., and has financially aided the movement to guarantee for the future the publication in the English language of science's advances and any other good works it has done, the details of which are on our books and before your auditors.

It has given its all. You can take away nothing but the opportunity of service. It was all we got from the Government. It is all we have. Traitors say I sold to myself. *Your auditors are on our books. In American fairness I ask you to direct them to seek and seek, and then to certify to the American people whether I or anyone connected with the sale have ever received anything but abuse.

Much seems to be made of sums we may obtain from the Federal Trade Commission. Even if every contention of ours is sustained after years of litigation, the amount received will not restore our capital spent upon education.

Mr. President, you have had the temerity to impugn the honor of the gentlemen who boast a part in the great work of building up or preserving the possibility of progress in organic chemistry for America. You have again been misinformed as to the nature of the trust we bore. That trust was not for the German Kartel, the owner of practically all the important patents, who had received them under the unthinking graciousness of laws they had induced. That trust was for the American people, their industrial independence and the safety and health of their children and their children's children.

They say I am a fanatic on the subject of the importance of organic chemistry. As if one could exaggerate the importance of the basic science of life! But let others, far removed from all the prejudices and passions of anyone among us, tell you of its importance.

First: In relation to our industrial prosperity: I quote from a recent open letter to Parliament by Mr. James Morton, Chairman of Alexander Morton Sons & Co., the largest carpet manufacturers of England, and Chairman of the Scottish Dyes, Limited, which his company was forced to build up when the war shut off supplies from the German world monopoly. His remarks, though

applied to England, show on their face their equal application to the present situation:

"Whatever the explanation, the war has surely roused us sufficiently to the significance of the new facts. No modern nation can any longer remain apathetic to the vast potentialities of Chemical Science. There is no mistaking the fact, and it should be written large everywhere in these times, that Organic Chemistry is the Key to the World of New Values. And it is our good fortune that it lies so peculiarly to our hand to cultivate. We have facilities superior to Germany if we care to co-operate and run our forces together. The Textile trade is the great feeder for Dyes. Dye-making is the natural starting place, and has been the nursery for all the great chemical developments, developments that have been cumulative in their effects and given enormously enhanced value to industries widely diverse.

* * *

"Now, ladies and gentlemen, it was the discovery in 1914 of the reality of such facts, of the stupendous significance they had for the well-being of our country, that made our people and Government determined to be efficient and self-supporting in the field of Organic Chemistry. In those days we were dealing with hard realities and acted with instinctive soundness of judgment. Nothing was felt to be more vital not only to the cost of the war, but to our whole future as a commercial nation, than that we should equip ourselves and be second to none in scientific research and operations. It was a resolution of the Government and of the people of this country as deliberate, as vital and as binding as any taken in those strenuous days of war. Here was territory we must strengthen and hold at all costs, and no part of our war operations, not even the defense of the Channel Ports, was more important in the long run for this country. The battle was heroically taken up. It required fortitude and steadfastness equal to any operation of the war, for while it entailed much hidden and humble work and had none of the glamour that appeals to the popular mind, it demanded unlimited patience and doggedness, and those engaged knew they would have to rely on the good faith of the people long beyond the time and excitement of actual warfare.

"And what are we experiencing now? The making of Dyes was the tangible object on which this big effort had to concentrate (for we cannot cultivate Chemical Science simply in the abstract) and the Dyestuffs Bill was the line of support which the Government ultimately formed to

enable the fight to continue till the territory would be won and thoroughly secured. What we are witnessing now is the attempt by our late enemy to influence some of the holders of our line to forsake their positions and work for the destruction of those valuable results that have been achieved by their own comrades through years of dogged fighting. For that is the literal translation of the present effort to repeal the Dyestuffs Bill. The Germans know we are on the way to becoming efficient and absolutely self-supporting in the making of dyes. They are amazed at the progress we have been able to make in so short a time. They know that an efficient Chemical Industry established here would radiate wealth to every avenue of our commerce and give us a power we never had in the world before. They realize that of all their war losses not Alsace Lorraine, the African Colonies, nor any territorial possession can compare with surrendering or sharing such a slice of their special province of science, and it may be taken that they will move heaven and earth to arrest the growth of chemical science in this country.

* * * * *

"But I must bring this desultory talk to an end. There are many other aspects one could discuss, but what I have said may help to give you something of the hang of this Dyestuffs Question. I have tried to show that it is at least something too complex to be measured by a simple difference in prices of commodities of commerce, and that it involves issues that transcend the ordinary axioms of buying in the cheapest market. It is surely for statesmen to take the long, national view. Would we allow any nation to build our ships exclusively for us though it offered to supply them free of charge for a generation? Would it be good policy in any government to allow a craft so vital to our existence to drop out of the ken and capacity of our people?

"And to-day probably our most vital necessity as a nation is that we should repair our long neglect of the natural sciences, and of Chemistry in particular. This is the new adventure calling for new qualities in our people. And here also we must build and sail our own ships looking only to our own compass for guidance. The material wealth of the modern world certainly lies in that direction, and what finer intellectual and even moral exercise can be found for our younger generations than grappling with the crude substances of the earth and converting them into things of new value and beauty. If we are to be in the van of the world's doings in the years to come it will only be by raising

armies of young men trained first in the pure sciences and then applying that knowledge, with imagination and skill, to the varied resources that lie waiting, not only within our own country and empire, but at our very door.

"But do not let us think this can be done by talking Science in the abstract or by patriotic rhetoric. It can only be done by providing a nucleus and substance round which these developments can grow. In the Dye trade, raised up at such cost during the war, we have that natural nucleus and starting point. I want you to realize that there is, and will be, a determined attempt, amounting almost to conspiracy, to arrest development and destroy this splendid foundation. It is for you to think twice and thrice before taking any action that might jeopardize the growth of a thing so vital to the future of this country. Have in mind that other countries are now alive to these high functions. America in five years' time will have Dye works and general Chemical works equal to Germany, with all the added stimulus this means to the education of her people and the enhanced values that must radiate to every one of her industries.

"I know it is difficult to get statesmen sufficiently roused to the value of anything purely scientific, or to think it justifies any Government care. Even Gladstone, scholar and statesman though he was, when Faraday was explaining one of his epoch-making discoveries, could only remark, 'But after all, Mr. Faraday, what use is it?' 'Why, sir,' replied Faraday, 'there is every probability that you will soon be able to tax it.' When fully developed the Chemical industry will open many new sources of revenue for a hungry Treasury and here at least is something that would lighten the burden of industry and help to sweeten the lives of every one of us."

Second: Its importance to national defense: I simply call your attention to the French edition, issued within the month, of *The Riddle of the Rhine*," by Victor Lefebure, and the two introductions thereto by Marshal Foch and Field Marshal Sir Henry Wilson, whose recent death shocked the world. I content myself with the simple quotation from the preface of Marshal Foch:

"In 1918 chemical warfare had undergone a considerable development in our armies. The establishments which Germany possessed prior to 1914 had permitted her to push rapidly the manufacture on a large scale of chemical products used on the front to develop greatly that struggle in a new form.

"The Allies by way of reply to this had been forced to make studies and to organize important factories. By that means only, and that tardily, they had put themselves in condition to respond to the ever increasing needs of their armies.

"And now the aeroplane, which is every day carrying heavier weights, is going to furnish a new means of delivering abundantly toxic gases by means of more and more powerful bombs, and of attacking armies and the centers of population situated behind them or of rendering tracts of country uninhabitable.

"Chemical warfare is thus in a condition to produce more terrible effects over ever wider spaces of territory.

"It is uncontestable that this extinction finds readily its realization in such a country as Germany, given over in times of peace to the manufacture on a large scale of chemical products, a simple modification in whose reactions can transform them into war material.

"This country, partially at least, deprived of her numerous effects of soldiers, carefully trained, regularly organized and powerfully armed, will be more inclined toward the new systems of attack offered by chemical warfare.

"Chemical warfare should therefore enter into our provisions and preparations for the future if we do not wish to undergo some former double surprises.

"The work of Major Lefebure gives an exact idea of the possibilities which are found today in Germany, and therefore of the dangers with which she threatens us. By this title he gives a warning and information of the highest order for those spirits who remain anxious for the fate of their country in view of the insufficiency of the ancient means of battle which the progress of industry renders less effective day by day.

"In sounding the alarm in each of our two countries, I find myself in the company of my faithful friend, Field Marshal Sir Henry Wilson. It is an old habit of ours, contracted in many years association, that we should

talk things over today in order to *assure once more peace for the future.*"

Third: Its importance as the only sound basis of the future development of medicine: I content myself with quoting from an article by Professor Julius Stieglitz, formerly President of the American Chemical Society and Head Professor of Chemistry in the University of Chicago:

"Moreover, the domain of the science of the transformation of matter (organic chemistry) includes even life itself as its loftiest phase: from our birth to our return to dust the laws of chemistry are the controlling laws of life, health, disease and death, and the ever clearer recognition of this relation is the strongest force that is raising medicine from the uncertain realm of an art to the safer sphere of an exact science. To many scientific minds it has even become evident that those most wonderful facts of life, heredity and character, must find their final explanation in the chemical composition of the components of life-producing, germinal protoplasm: mere form and shape are no longer supreme but are relegated to their proper place by the housing only of the living matter which functions chemically.

* * * * *

" * * * Of even more vital moment is chemistry in the domain of health. The pitiful calls of our hospitals for local anesthetics to alleviate suffering on the operating table, the frantic appeals for the hypnotic that soothes the epileptic and staves off his seizure, the almost furious demands for remedy after remedy, that came in the early years of the war, are still ringing in the hearts of many of us. No wonder that our small army of chemists is grimly determined not to give up the independence in chemistry which war has achieved for us! Only a widely enlightened public, however, can insure the permanence of what farseeing men have started to accomplish in developing the power of chemistry through research in every domain which chemistry touches."

These were the thoughts which were in the minds of men who knew the war and its lessons when they formed The Chemical Foundation.

Mr. President, the information upon which you have been induced to act has been furnished by German agents to an ex German spy and interpreted by lawyers whose sole knowledge of the war and its lessons is derived from association with German clients. I have not gone on with my disclosures of their activities, for I felt that the great, vital issue must not become clouded with personalities; but I beg of you to seek other counsel.

Yours respectfully,

FRANCIS P. GARVAN,
President.

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